

**ALBERT C. SPAGNUOLO and
SANDRA SPAGNUOLO,**

VS.

Defendant.

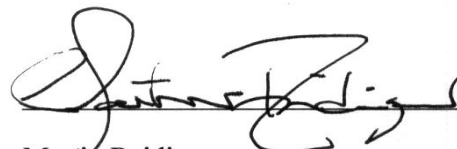
The facts, legal issues, and causes of action asserted by the parties in the present matter are substantially similar to those in the case of Jadick, et al. v. Branch Banking and Trust Co., No. 2:12-cv-00064-MR (W.D.N.C.), and the same attorneys appear on behalf of the parties in each of these actions. Even though these cases have not been consolidated, the Order of this Court previously entered in Jadick addresses and disposes of all of the issues raised by the motion currently before the Court in this matter.

The Order in Jadick, therefore, is incorporated herein, and the current motion will be disposed of in accord therewith.

IT IS, THEREFORE, ORDERED that the Defendant's Motion to Dismiss [Doc. 6] is **GRANTED**, and the Plaintiffs' claims against the Defendant are hereby **DISMISSED WITH PREJUDICE**. The case shall proceed with respect to the Defendant's counterclaims only.

IT IS SO ORDERED.

Signed: September 30, 2013


Martin Reidinger
United States District Judge

